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REMARKS

This response is intended as a full and complete response to the non-final Office Action mailed June 30, 2006. In the Office Action, the Examiner notes that claims 1-23, 25 and 28 are pending and rejected. Claims 1 and 20 have been amended to further clarify the Applicants' invention.

In view of the above amendment and following discussion, Applicants submit that none of the claims now pending in the application are obvious under the provisions of 35 U.S.C. §103. Thus, Applicants believe that all of these claims are now in allowable form.

It is to be understood that Applicants, by amending the claims, do not acquiesce to the Examiner's characterizations of the art of record or to Applicants' subject matter recited in the pending claims. Further, Applicants are not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant responsive amendments.

Amendments to the Claims

By this response, Applicants have amended claims 1 and 20 to further clarify the invention. The amendments to the claims are fully supported by the Application as originally filed. For example, the amendments to the claims are supported at least by p.40, line 33 to p.41, line 4. Thus, no new matter has been added and the Examiner is respectfully requested to enter the amendments.

35 U.S.C. §103 Rejection of Claims 1-10, 14, 16-17, 19-23, 25 and 28

The Examiner has rejected claims 1-10, 14, 16-17, 19-23, 25 and 28 under 35 U.S.C. §103(a) as being unpatentable over Ludvig et al. (International Pub No WO 00/0589, hereinafter "Ludvig") in view of Allibhoy et al. (US Pat No 5,805,155, hereinafter "Allibhoy"). Applicants respectfully traverse the rejection.

To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. However, the Ludvig and Allibhoy references, alone or in combination, fail to teach or suggest all of the limitations recited in claim 1 or claim 20, and thus fail to teach or suggest Applicants' invention as a whole.

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Specifically, the Ludvig and Allibhoy references fail to teach or suggest at least "receiving, from service provider equipment, a search object comprising a video slice encoded by a service provider, said search object being for an interactive program guide (IPG)", as recited in claim 1; or an interactive program guide page, comprising: "a search window object configurable to receive one or more user-generated criteria for the search of the program guide database", as recited in claim 20.

Ludvig discloses a method and apparatus for combining video frame sequences with a video display of an IPG in which background information and informational video is composited with different program guide graphics to form a plurality of video sequences, which are encoded and multiplexed for transmitting to a subscriber using a single transport stream. This allows the subscriber to transit from one program guide to the next without interruption of the background or video display as the program guide graphic is changed. (See Ludvig, Abstract and Page 4, Line 8 - Page 5, Line 12.)

Although Ludvig discloses an IPG being received by a subscriber, there is no teaching or suggestion of any "search object" for the IPG, nor any features related to receiving one or more user-generated search criteria, sending a request for a search, receiving at least one search result, such as those recited in Applicants' claim 1.

Allibhoy teaches an interactive cable TV system in which a set-top user initiates an inquiry to a data-asset storage by using an item-descriptor comprising a word-picture of an item of interest. Based on the query, a search is performed at the headend, which includes a mass storage of data-assets each containing a large number of individual data-items. All data-assets satisfying the particular query becomes virtual assets, whose files may be uploaded to the set-top initiating the query. (See Abstract and Summary of Invention.)

Although Allibhoy discloses keyword-based searching at the headend, there is no teaching or suggestion for searching a program guide database, or any search object for an IPG, as in Applicants' invention. Instead, Allibhoy's invention is directed towards searching for items such as those found in a shopping or catalogue databases - hence, the need for highly descriptive terms relating to the attributes, features or characteristics

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of an item or product (see, for example, col. 2, line 57- col. 3, line 3; and col. 3, lines 29-31).

Since Ludvig does not teach or suggest searching through an IPG, there is simply no motivation to combine Ludvig's method of encoding an IPG with Allibhoy's teaching of using an item-descriptor to search for items in a shopping database.

Furthermore, Allibhoy fails to bridge the substantial gap between the Ludvig reference and Applicants' invention as recited in claim 1 because Allibhoy does not teach or suggest any searching in an IPG. Thus, even if combined, there is no teaching in Ludvig and Allibhoy of Applicants' invention, as recited in claim 1 or claim 20.

As such, Applicants respectfully submit that independent claims 1 and 20 are patentable under 35 U.S.C. §103 over the Ludvig and Allibhoy references. Moreover, since all of the dependent claims depend, either directly or indirectly, from claims 1 or 20, and recite additional limitations thereof, these dependent claims are also patentable.

35 U.S.C. §103 Rejection of Claims 11-13 and 15

The Examiner has rejected claims 11-13 and 15 under 35 U.S.C. §103(a) as being unpatentable over Ludvig in view of Allibhoy and further in view of Lemmons et al. (US Pat App Pub No 2003/0115603, hereinafter "Lemmons"). Applicants respectfully traverse the rejection.

Claims 11-13 and 15 depend directly or indirectly from independent claim 1. Moreover, for at least the reasons discussed above, the Ludvig and Allibhoy references fail to teach or suggest Applicants' invention as recited in claim 1. Accordingly, any attempted combination of the Ludvig and Allibhoy references with any other additional references, in a rejection against the features recited in the dependent claims, would still result in a gap in the combined teachings in regards to the independent claim.

Although Lemmons teaches a program search display mode using a restrictive search selection criterion, the available selection criteria are displayed and provided by the IPG, as defined by the headend telecasting center (see, for example, Lemmons paragraphs 27 and 74; Fig. 7). This is different from the Applicants' invention, in which the search criteria (e.g., keywords) are generated by the user, and not pre-defined by the headend.

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As such, Applicants submit that dependent claims 11-13 and 15 are not obvious and are patentable under 35 U.S.C. §103.

35 U.S.C. §103 Rejection of Claim 18

The Examiner has rejected claim 18 under 35 U.S.C. §103(a) as being unpatentable over Ludvig in view of Allibhoy and in further view of Thomas et al. (US Pat No 5,666,645, hereinafter "Thomas"). Applicants respectfully traverse the rejection.

Claim 18 depends directly or indirectly from independent claim 1. Moreover, for at least the reasons discussed above, the Ludvig and Allibhoy references fail to teach or suggest Applicants' invention as recited in claim 1. Accordingly, any attempted combination of the Ludvig and Allibhoy references with any other additional references, in a rejection against the dependent claims, would still result in a gap in the combined teachings in regards to the independent claim. As such, Applicants submit that dependent claim 18 is not obvious and is patentable under 35 U.S.C. §103.

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CONCLUSION

Thus, Applicants submit that none of the claims, presently in the application, are obvious under the provisions of 35 U.S.C. §103. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall at (732) 530-9404, so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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